

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1690  
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Orderly Requirements  
3 Designed to Enforce and Regulate Latin American Migra-  
4 tion Act” or the “ORDER Act”.

**5 SEC. 2. UNITED STATES POLICY REGARDING WESTERN  
6                   HEMISPHERE COOPERATION ON IMMIGRA-  
7                   TION AND ASYLUM.**

8       It is the policy of the United States to enter into  
9 agreements, accords, and memoranda of understanding  
10 with sovereign countries in the Western Hemisphere, the  
11 purposes of which are to advance the interests of the  
12 United States by reducing costs associated with illegal im-  
13 migration and to protect the human capital, societal tradi-  
14 tions, and economic growth of other sovereign nations in  
15 the Western Hemisphere. It is further the policy of the  
16 United States to ensure that humanitarian and develop-  
17 ment assistance funding aimed at reducing illegal immi-

1 gration is not expended on programs that have not proven  
2 to reduce illegal immigrant flows in the aggregate.

3 **SEC. 3. NEGOTIATIONS BY SECRETARY OF STATE.**

4 (a) AUTHORIZATION TO NEGOTIATE.—The Secretary  
5 of State shall seek to negotiate agreements, accords, and  
6 memoranda of understanding between the United States,  
7 Mexico, Honduras, El Salvador, Guatemala, and other  
8 countries in the Western Hemisphere with respect to co-  
9 operation and burden sharing required for effective re-  
10 gional immigration enforcement, expediting legal claims by  
11 aliens for asylum, and the processing, detention, and repa-  
12 triation of foreign nationals seeking to enter the United  
13 States unlawfully. Such agreements shall be designed to  
14 facilitate a regional approach to immigration enforcement  
15 and shall, at a minimum, provide that—

16 (1) the Government of Mexico authorize and ac-  
17 cept the rapid entrance into Mexico of nationals of  
18 countries other than Mexico who seek asylum in  
19 Mexico, and process the asylum claims of such na-  
20 tionals inside Mexico, in accordance with both do-  
21 mestic law and international treaties and conven-  
22 tions governing the processing of asylum claims;

23 (2) the Government of Mexico authorize and ac-  
24 cept both the rapid entrance into Mexico of all na-  
25 tionals of countries other than Mexico who are ineli-

1       gible for asylum in Mexico and wish to apply for  
2       asylum in the United States, whether or not at a  
3       port of entry, and the continued presence of such  
4       nationals in Mexico while they wait for the adjudica-  
5       tion of their asylum claims to conclude in the United  
6       States;

7               (3) the Government of Mexico commit to pro-  
8       vide the individuals described in paragraphs (1) and  
9       (2) with appropriate humanitarian protections;

10              (4) the Government of Honduras, the Govern-  
11       ment of El Salvador, and the Government of Guate-  
12       mala each authorize and accept the entrance into  
13       the respective countries of nationals of other coun-  
14       tries seeking asylum in the applicable such country  
15       and process such claims in accordance with applica-  
16       ble domestic law and international treaties and con-  
17       ventions governing the processing of asylum claims;

18              (5) the Government of the United States com-  
19       mit to work to accelerate the adjudication of asylum  
20       claims and to conclude removal proceedings in the  
21       wake of asylum adjudications as expeditiously as  
22       possible;

23              (6) the Government of the United States com-  
24       mit to continue to assist the governments of coun-  
25       tries in the Western Hemisphere, such as the Gov-

1       ernment of Honduras, the Government of El Sal-  
2       vador, and the Government of Guatemala, by sup-  
3       porting the enhancement of asylum capacity in those  
4       countries; and

5               (7) the Government of the United States com-  
6       mit to monitoring developments in hemispheric im-  
7       migration trends and regional asylum capabilities to  
8       determine whether additional asylum cooperation  
9       agreements are warranted.

10       (b) NOTIFICATION IN ACCORDANCE WITH CASE-ZA-  
11       BLOCKI ACT.—The Secretary of State shall, in accordance  
12       with section 112b of title 1, United States Code, promptly  
13       inform the relevant congressional committees of each  
14       agreement entered into pursuant to subsection (a). Such  
15       notifications shall be submitted not later than 48 hours  
16       after such agreements are signed.

17       (c) ALIEN DEFINED.—In this section, the term  
18       “alien” has the meaning given such term in section 101  
19       of the Immigration and Nationality Act (8 U.S.C. 1101).

20       **SEC. 4. MANDATORY BRIEFINGS ON UNITED STATES EF-**  
21                               **FORTS TO ADDRESS THE BORDER CRISIS.**

22       (a) BRIEFING REQUIRED.—Not later than 90 days  
23       after the date of the enactment of this Act, and not less  
24       frequently than once every 90 days thereafter until the  
25       date described in subsection (b), the Secretary of State,

1 or the designee of the Secretary of State, shall provide  
2 to the appropriate congressional committees an in-person  
3 briefing on efforts undertaken pursuant to the negotiation  
4 authority provided by section 103 to monitor, deter, and  
5 prevent illegal immigration to the United States, including  
6 by entering into agreements, accords, and memoranda of  
7 understanding with foreign countries and by using United  
8 States foreign assistance to stem the root causes of migra-  
9 tion in the Western Hemisphere.

10 (b) TERMINATION OF MANDATORY BRIEFING.—The  
11 date described in this subsection is the date on which the  
12 Secretary of State, in consultation with the heads of other  
13 relevant Federal departments and agencies, determines  
14 and certifies to the appropriate congressional committees  
15 that illegal immigration flows have subsided to a manage-  
16 able rate.

17 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
18 FINED.—In this section, the term “appropriate congres-  
19 sional committees” means the Committee on Foreign Af-  
20 fairs of the House of Representatives and the Committee  
21 on Foreign Relations of the Senate.

